

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2005-053072

06/21/2011

HONORABLE MICHAEL D. GORDON

CLERK OF THE COURT
M. MINKOW
Deputy

IN RE THE MARRIAGE OF
THERASA LEIGH HETHERINGTON

THERASA LEIGH HETHERINGTON
850 N AHOY DR
GILBERT AZ 85234

AND

THOMAS HETHERINGTON

DARRELL J HADDER

HOLLY JUDGE
1265 S CORRINE DR
GILBERT AZ 85296
ELECTRONIC RECORD SERVICES
FAMILY COURT SERVICES-CCC

**EVIDENTIARY HEARING SET
TEMPORARY ORDERS ENTERED**

Prior to the commencement of the hearing, Respondent's exhibits 1 through 10 were marked for identification.

9:18 a.m. Courtroom 108. This is the time set for Evidentiary Hearing Re: Respondent's Petition For Modification of Custody, filed November 12, 2009. Petitioner/Mother is present on her own behalf. Respondent/Father is present and represented by above-named counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Therasa Hetherington and Thomas Hetherington are sworn.

Thomas Hetherington testifies.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2005-053072

06/21/2011

Court-Appointed Advisor, Holly Judge, is telephonically sworn and telephonically testifies.

Respondent's exhibit 2 is received in evidence.

The witness is excused.

10:15 a.m. Court stands at recess.

10:38 a.m. Court reconvenes with the parties and counsel present.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

THE COURT ADVISES that during the recess, Juvenile Judge Brian Ishikawa telephonically advised this Court that the juvenile dependency action involving the parties' minor children, Siena and Collin, has been dismissed and jurisdiction over Siena and Collin has been returned to Family Court. Therefore, today's hearing involving Riley will be vacated and a consolidated hearing, involving custody, parenting time and child support for all three children, is set on **October 4, 2011, at 9:00 a.m., for 3 hours**, in this Division at Northeast Regional Court Center, 18380 North 40th Street, Courtroom 108, Phoenix, Arizona 85032.

IT IS ORDERED affirming Judge Ishikawa's order with respect to the Father's parenting time with Collin and Siena; i.e., Father shall have no parenting time with the minor children, Collin and Siena, at this time.

IT IS FURTHER ORDERED taking under advisement the Court-Appointed Advisor's recommendation to appoint a Best Interests Attorney for Riley.

IT IS FURTHER ORDERED DENYING at this time Holly Judge's request to be released from her appointment as Court-Appointed Advisor for the reasons set forth on the record.

The parties state their positions regarding interim issues.

IT IS ORDERED:

- When either party is sending an email to the other party requesting a change in mos parenting time with Riley, the other party shall hit the "reply" button so that the original email gets attached so that the sending party knows what the other party is replying to. The reply shall only address what is being asked for in the original email and no

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2005-053072

06/21/2011

extraneous issues. If an agreement cannot be reached, that will end the process. Neither party, however, will unreasonably deny a request for a change in parenting time when that change is in the best interests of Riley. Mother is directed to keep a notebook of a log of email containing any alleged unreasonable denials.

- No later than 30 days from today's date, Father shall obtain a counselor for Riley to address Riley's depression issues. That counseling shall begin within 21 days of having obtained the counselor. That counselor must be either a psychologist or a psychiatrist trained to deal with adolescent issues and deal with – or, at least, address – sexual abuse issues. Father shall provide the counselor with just this minute entry. Father shall give to Mother all information with respect to who the counselor is. That counselor will be given access to all information that he or she requests, but neither party shall provide the counselor with anything unless he/she requests it. If the counselor wants any information from the Court, he/she shall make an appropriate request to the Court. Both parties shall reasonably respond to the counselor but they are not to affirmatively give him/her information, unless he/she requests the information. If either party provides information to the counselor in response to a request of the counselor, that party shall provide the other party a copy of the same information.
- Mother shall have parenting time with the minor child, Riley, from 7:30 p.m. on Friday to 7:30 p.m. on Sunday. The parties may change parenting time as they mutually agree.
- Any documents from the Juvenile proceeding that either party wishes to use in this proceeding shall be filed under seal.
- Father shall, through his counsel, immediately provide Mother with insurance information.
- Every Friday at 7:00 p.m. each party shall send to the other party an email giving him/her information with respect to all matters affecting the emotional, moral and physical welfare of the minor child(ren) in his/her care. Neither party shall attempt to contact any health care provider of the minor child(ren) in the primary care of the other party in response to any information that he/she has received in connection with these emails.
- With regard to the minor children, Siena and Collin, Father is entitled to access to documents and other information pursuant to *ARS* § 25-403.06, except for their health records, including psychiatric and psychological records.

IT IS ORDERED that each party is granted a free copy of the audio or video record on compact disc (CD) of today's proceedings. To order a copy of the audio or video record on

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2005-053072

06/21/2011

compact disc (CD), each party shall call Electronic Record Services 602-506-7100 and provide the following information: the date of the proceeding, the cause number, the case caption, your name, address, telephone number, and e-mail address (optional).

On a temporary basis, effective July 1, 2011, Father shall pay child support for the minor children to Mother in the monthly amount of \$378.80, by wage assignment, through the Support Payment Clearinghouse.

FILED: Child Support Worksheet

11:39 a.m. Matter concludes.

LATER:

The Court will not appoint a Best Interests Attorney for Riley at this time.

LET THE RECORD REFLECT that an electronic Order of Assignment is initiated by the above-name deputy clerk.

IT IS ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ Michael D. Gordon

MICHAEL D. GORDON
JUDGE OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.